

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Lily Kim	Team: Squad #6	CCRB Case #: 202004550	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input checked="" type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tue, 06/23/2020 11:00 PM	Location of Incident: [REDACTED]	Precinct:	18 Mo. SOL 12/23/2021	EO SOL 5/4/2022	
Date/Time CV Reported Wed, 06/24/2020 12:03 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 06/24/2020 12:03 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. DTS Won Chang	7446	928055	DB GLD

Officer(s)	Allegation	Investigator Recommendation
A . DTS Won Chang	Off. Language: On June 3, 2020, Detective Won Chang made remarks to individuals based upon ethnicity.	A . § 87(2)(g) [REDACTED]
B . DTS Won Chang	Off. Language: On June 10, 2020, Detective Won Chang made remarks to individuals based upon race.	B . § 87(2)(g) [REDACTED]
C . DTS Won Chang	Untruthful Statement: Detective Won Chang provided a misleading official statement to the CCRB.	C . § 87(2)(g) [REDACTED]

Case Summary

On June 23, 2020, an individual filed this complaint via the CCRB Complaint Form.

On June 23, 2020, an individual watched two § 87(2)(b) videos featuring Detective Won Chang of the Grand Larceny Division, which were uploaded on June 3, 2020 and June 10, 2020. Detective Won Chang and a Youtuber discussed the ongoing police protests in Korean. Detective Chang made offensive comments about race in both videos (**Allegations A and B—Offensive Language**, § 87(2)(g) Detective Won Chang provided a misleading official statement to the CCRB (**Allegation C—Untruthful Statement**, § 87(2)(g)

§ 87(2)(b) videos have been obtained of this incident. Body-worn camera footage was not obtained because the officer was off-duty and not equipped with a camera.

Findings and Recommendations

Allegation A—Offensive Language: On June 3, 2021, Detective Won Chang made remarks to individuals based upon race.

Allegation B—Offensive Language: On June 10, 2021, Detective Won Chang made remarks to individuals based upon race.

On June 23, 2020, an individual filed this complaint and stated that it contained hate speech, false narratives on race, and spread stereotypes which focused mainly on Black communities. While this individual is known to CCRB, the individual asked that their identity be kept private to the extent possible and they remain anonymous. As such, this individual was referred to as “An individual”. As this is a complaint regarding a video which was posted publicly, it was determined that members of the public should be considered victims of the alleged offensive statements.

On June 3, 2020 (**BR 01**) and on June 10, 2020 (**BR 02**), a Korean § 87(2)(b) § 87(2)(b) with channel name “§ 87(2)(b)” uploaded videos in which he and Det. Chang discuss the protests in Korean. The videos were respectively entitled “Active NY detective speaks about the demonstrations/protests against racism, the current limitations, etc. Now, it is impossible to distinguish whether these are protests or riots. Protests by day, riots by night” and “Working out the behind-the-scenes of race-related protests in NY with an NYPD Detective Chang. Racism against Asians. The glorification of 9-time criminal offender George Floyd.” The videos have been taken down as of October 22, 2020 (**BR 03**).

In the video uploaded on June 3, 2020, Det. Chang states that he is in the thick of the protests as an officer, unlike journalists. At the 8:07 mark, Det. Chang states that many protesters are white and Black, but the white protesters are “hippies/hipsters.” Det. Chang defines them as anarchists with the mentality of hippies in the 60’s and 70’s who use drugs (marijuana, hard drugs). At the 28:08 minute mark, Det. Chang states that he and § 87(2)(b) cannot speak English as well as Black people can, but they are still able to make an honest living here in the United States. Det. Chang states that when Korean people immigrate to the States, the women kneel at nail salons and wash the feet of Black people, who do not even tip well. Det. Chang additionally states that Black people do not do backbreaking or difficult work, in contrast with Korean immigrants who do hard labor. He continues, stating that Korean people work hard in Black neighborhoods. Immediately after that statement, Det. Chang says that “those people” do not work hard, and when they are unable to achieve the American Dream, they blame the government and Asian people for earning money in their neighborhoods and spending it elsewhere. At the 31:01 mark, Det. Chang states, “But Black people who live here—please don’t misunderstand, the Blacks I’m talking about here are the ones to

just play, eat, and sleep (*muk-go, nol-go, jah-go*). These Black people who just play, eat, and sleep, pass on this lifestyle to their future generations.”

In the video uploaded on June 10, 2020, at the 35:14 mark, Det. Chang states his opinion as an officer regarding Mayor De Blasio’s decision to publicize officers’ personal information and at the 36:39 mark, he states that officers consider marijuana to be a gateway drug. At the 33:20 mark, he states that there are many times when officers are wrongfully accused because of false testimonies, including himself. At the 16:09 mark, Det. Chang states that a Black person with mixed race children commented on the previous video that Det. Chang and § 87(2)(b) discriminated against Black people. At the 17:01 mark, Det. Chang states, “But we are not discriminating against all Blacks. There are Blacks who are educated, there are Blacks who are uneducated but act correctly and have good natures and hearts. And because Koreans have a lot of *jung* (affection/love), we treat them especially well. But I am talking about young Black people with criminal natures, not all Black people.”

During his CCRB interview (**BR 04**), Det. Chang testified that he did not remember the date or time of the filming of either video. He did not know that the videos were going to be uploaded publicly on § 87(2)(b) because he has previously filmed videos with § 87(2)(b) that were previously not uploaded. His intended audience were his family and friends. However, Det. Chang confirmed that § 87(2)(b) filmed and was in possession of the videos. Det. Chang agreed with the translation of his statement describing white people as “hippies” or “hipsters,” but refused to explain why he described white people in this manner. Det. Chang explained that in the video uploaded on June 3, 2020, when he stated that “those people” blame the government and Asian people, he meant people in general, rather than Black people. Det. Chang agreed with the translations of the statements he made in the videos, except for the interpretation of his use of “those people” and the pronoun “they.” In almost every instance, Det. Chang argued that his use of the pronoun “they” did not refer to Black people specifically, but that the pronoun referred to people in general of all races.

Officers are prohibited from using discourteous or disrespectful remarks regarding another person’s ethnicity, race, religion, gender, gender identity/expression, sexual orientation, or disability, **Patrol Guide 203-10 (BR 05)**.

Members of the service are to be cognizant of their personal use of social media sites. Any activities or statements made on social media sites are done so in an online domain where users have no reasonable expectation of privacy. Even if a member of the service has created “private” or “limited access” accounts or has customized “privacy settings,” any statements, photographs, video clips or information which are sent over the internet may still be viewed and disseminated by third parties, even after the content has been edited or deleted by the user. When assessing actions that may violate this Order, be guided by common sense standards of reasonableness. Violations of this Order may subject members of the service to disciplinary action. All provisions of P.G. 203-10, “Public Contact - Prohibited Conduct” continue to apply to the use of social media, **Patrol Guide Procedure 203-28 (BR 06)**.

§ 87(2)(b), § 87(2)(g)

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§ 87(2)(b), § 87(2)(g)

Allegation C—Untruthful Statement: Detective Won Chang provided a misleading official statement to the CCRB.

During his interview, Det. Chang was asked if he was shown in the videos that were recorded, and Det. Chang stated that he did not remember. When the videos were presented to him, Det. Chang identified himself in both videos and confirmed that he introduced himself as a detective in both videos.

During his interview, Det. Chang was asked if he made offensive remarks that Black people do not work hard, and he responded that he did not. After the video was played, the statements Det. Chang made in the video were interpreted for the record. Det. Chang agreed with the Investigation's interpretation.

Officers are prohibited from making intentionally making misleading official statements. A misleading statement is intended to misdirect the fact finder, and materially alter the narrative by: a. Intentionally omitting a material fact or facts, b. Making repeated claims of "*I do not remember*" or "*I do not know*" when a reasonable person under similar circumstances would recall, or have been aware of, such material facts, or c. Altering and/or changing a member's prior statement or account when a member of the service is confronted with independent evidence indicating that an event did not occur as initially described, will generally be considered a misleading statement. A material fact

is a significant fact that a reasonable person would recognize as relevant to, or affecting, the subject matter of the issue at hand, including any foreseeable consequences, or establishment of the elements of some proscribed conduct. It is a fact that is essential to the determination of the issue and the suppression, omission, or alteration of such fact would reasonably result in a different decision or outcome. A material fact may be distinguished from an insignificant, trivial, or unimportant detail. When a member of the service is afforded an opportunity to recollect with the benefit of credible evidence, and the member makes a statement consistent with the evidence, the member's prior statement will not be considered a false statement. However, it may be considered a misleading statement, or an inaccurate statement, or in cases where further investigative steps were required after the statement was made, may also be considered an action impeding the investigation, **Patrol Guide Procedure 203-08 (BR 07)**.

§ 87(2)(b), § 87(2)(g)

[REDACTED]

[REDACTED]

Civilian and Officer CCRB Histories

- Det. Chang has been a member of service for 19 years and has been a subject in six CCRB complaints and 12 allegations, none of which have been substantiated.

Mediation, Civil and Criminal Histories

- This complaint was not eligible for mediation.

Squad No.: 6

Investigator: Lily Kim Investigator Lily Kim 4/21/2021
Signature Print Title & Name Date

Squad Leader: Jessica Peña IM Jessica Peña 4/21/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date

CCRB Case # 202004550